1	Laura J. Baughman								
2	Russell W. Budd 3102 Oak Lawn Avenue, Suite 1100 Dallas, TX 75219 Phone: (214) 521-3605 Facsimile: (214) 520-1181								
3									
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5	<u>rbudd@barc</u>	<u>@baronbudd.com</u> onbudd.com							
6	Attorneys fo	r Plaintiff							
7									
8	IN THE UNITED STATES DISTRICT COURT								
9	FOR THE DISTRICT OF ARIZONA								
10									
11	1	RD IVC FILTERS IS LIABILITY LITIGATION) No. MD-15-02641-DGC						
12) SECOND AMENDED MASTER) SHORT FORM COMPLAINT FOR						
13) DAMAGES FOR INDIVIDUAL) CLAIMS AND DEMAND FOR JURY						
14) TRIAL						
15									
16			nplaint against Defendants named below,						
17	incorporate	the Master Complaint for Damage	es in MDL 2641 by reference (Doc. 364).						
18	Plaintiff(s) f	Further show the Court as follows:							
19	1.	Plaintiff/Deceased Party:							
20		Ruth Nelson_							
21	2.	Spousal Plaintiff/Deceased Par	ty's spouse or other party making loss of						
22		consortium claim:							
23									
24	2	N/A							
25	3.	Other Plaintiff and capacity (i.e., administrator, executor, guardian,							
26		conservator):							
27		<u>N/A</u>							
28	_								
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1	4.	Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at				
2		the time of implant:				
3		Wisconsin				
4	5.	Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at				
5		the time of injury:				
6		Wisconsin				
7	6.	Plaintiff's current state(s) [if more than one Plaintiff] of residence:				
8 9						
10	7.					
11	7.	District Court and Division in which venue would be proper absent direct filing:				
12		U.S. District Court for the Eastern District of Wisconsin				
13	8.	Defendants (check Defendants against whom Complaint is made):				
14		C.R. Bard Inc.				
15		Bard Peripheral Vascular, Inc.				
16	9.	Basis of Jurisdiction:				
17		□ Diversity of Citizenship				
18		Other:				
19		a. Other allegations of jurisdiction and venue not expressed in Master				
20		Complaint:				
21						
22						
23						
24	10.	Defendants' Inferior Vena Cava Filter(s) about which Plaintiff(s) is making a				
25	10.					
26		claim (Check applicable Inferior Vena Cava Filter(s)):				
27		Recovery® Vena Cava Filter				
28	Case 2:2	21-cv-00586-NJ Filed 05/05/17 Page 2 of 5 Document 1				

1			G2 [®] Vena C	'ava Filter		
2		☐ G2 [®] Express Vena Cava Filter				
3		G2® X Vena Cava Filter				
4		Eclipse Vena Cava Filter Eclipse Uena Cava Filter				
5		- -				
6		_				
7		☐ Denali [®] Vena Cava Filter				
8		Other:				
9	11.	Date of Implementation as to each product:				
10		4/18/2013				
11						
12	12.	Counts in the Master Complaint brought by Plaintiff(s):				
13			Count I:	Strict Products Liability – Manufacturing Defect		
14						
15			Count II:	Strict Products Liability – Information Defect (Failure to		
16			Warn)			
17			Count III:	Strict Products Liability – Design Defect		
18			Count IV:	Negligence – Design		
19			Count V:	Negligence – Manufacture		
20			Count VI:	Negligence – Failure to Recall/Retrofit		
21			Count VII:	Negligence – Failure to Warn		
22		\boxtimes	Count VIII:	Negligent Misrepresentation		
23			Count IX:			
24				Negligence Per Se		
25			Count X:	Breach of Express Warranty		
26			Count XI:	Breach of Implied Warranty		
27			Count XII:	Fraudulent Misrepresentation		
28						

1		Count XIII:	Fraudulent	Concealment
2		Count XIV:	Violations of	of Applicable Wisconsin Law Prohibiting
3			Consumer I	Fraud and Unfair and Deceptive Trade Practices
4		Count XV:	Loss of Cor	nsortium
5		Count XVI:	Wrongful D	D eath
6		Count XVII:	Survival	
7				
8		Punitive Dam		
9		Other(s):		(please state the facts supporting
10		this Count in	the space im	mediately below)
11				
12				
13				
14				
15	13. Jury T	Frial demanded	for all issues	so triable?
16		Yes		
17				
18		No		
19				
20	RESPECTFU	JLLY SUBMIT	TED this 5 th	day of May, 2017.
21			BA	RON & BUDD, P.C.
22			By:	/s/ Laura Baughman
23				Laura J. Baughman Russell W. Budd
24				3102 Oak Lawn Avenue, Suite 1100 Dallas, TX 75219
25				Phone: (214) 521-3605 Facsimile: (214) 520-1181
26				lbaughman@baronbudd.com rbudd@baronbudd.com
27				
28	Case 2:21-cv-0	0586-NJ File	ed 05/05/17	Attorneys for Plaintiff Page 4 of 5 Document 1

CERTIFICATE OF SERVICE I hereby certify that on this 5th day of May, 2017, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing. /s/ Laura Baughman_ Laura J. Baughman